UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
NEWAY, SAMUEL G

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ptonotifs@yeeiplaw.com

DETAILED ACTION

1.   This is responsive to the amendment after non-final filed on 29 January 2009.

2.   Claims 1 – 5, 9 – 12, 16 – 20, and 24 – 27 are still pending and considered

below.

Response to Amendment

3.   The claim objection of claim 2 is withdrawn in view of Applicant's amendment.

Response to Arguments

4.   Applicant's arguments filed 29 January 2009 have been fully considered but they

are not persuasive.

        Applicant submits that the claim amendments traverse the Double Patenting

rejections made in the last action. However, the rejections still stand (see below).

Applicant also submits that the amendments overcome the prior art rejections, but the

Examiner respectfully disagrees (see below for rejection).

Double Patenting

5.   The nonstatutory double patenting rejection is based on a judicially created
doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the
unjustified or improper timewise extension of the "right to exclude" granted by a patent
and to prevent possible harassment by multiple assignees.   A nonstatutory
obviousness-type double patenting rejection is appropriate where the conflicting claims
are not identical, but at least one examined application claim is not patentably distinct
from the reference claim(s) because the examined application claim is either anticipated
by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140
F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29
USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir.

1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

6.   Claims 1 – 5, 9 – 12, 16 – 20, and 24 – 27 are provisionally rejected on the

ground of nonstatutory obviousness-type double patenting as being unpatentable over

claims 1 – 16, and 30 - 45 of copending Application No. 10/617,526 in view of Chinese-

English Dictionary

(http://web.archive.org/web/20000301054545/http://www.mandarintools.com/worddict.ht

ml) and in further view of Chinese-English Lookup

(http://web.archive.org/web/20010309104519/http://home.iprimus.com.au/richwarm/cel/

cel.htm) referred as Lookup hereinafter.

Current Application	Co-pending Application 10/617,526
1. A method comprising: using a computer having a display and connected to the internet, copying a Chinese character from a web page by highlighting the Chinese character on the web page; accessing a graphical user interface having only an input field, a submit control, and a Simplified Chinese/Traditional Chinese equivalency display area;	1. A method comprising: using a computer having a display and connected to the internet, copying a Simplified Chinese character into an input field of a graphical user interface; using Unicode to determine a Traditional Chinese character equivalent of a Simplified Chinese character;

pasting the Chinese character into an input field of a graphical user interface on the display;	
responsive only to pasting the Chinese character into the input field of the graphical user interface and clicking the submit control, automatically recognizing the Chinese character without entering an encoding format of the Chinese character so that when the Chinese character is a Simplified Chinese character, the Chinese character is displayed in the Simplified Chinese/Traditional Chinese equivalency display area and the Traditional Chinese character equivalent is simultaneously displayed in the Simplified Chinese/Traditional Chinese equivalency display area next to the Chinese character, and when the Chinese character is a Traditional Chinese character, the Chinese character is displayed in the Simplified Chinese/Traditional Chinese equivalency display area and the Simplified Chinese character equivalent is simultaneously displayed in the Simplified Chinese/Traditional Chinese equivalency display area next to the.	using Unicode to translate the Simplified Chinese character into accented Pin Yin word and an English word; and responsive to a user activation of a single control on the graphical user interface, simultaneously displaying the Simplified Chinese character as a Traditional Chinese character, an unaccented Pin Yin word, a hybrid Pin Yin word, and an English word.
2. The method of claim 1 further comprising: accepting the Chinese character as user input, wherein the Chinese character is encoded in GB2312 or Unicode.	2. The method of claim 1 further comprising: accepting the Simplified Chinese character as user input, wherein the Simplified Chinese character is encoded in GB2312 or Unicode.
3. The method of claim 1 further comprising: translating the Chinese character from GB2312 to Unicode.	3. The method of claim 1 further comprising: translating the Simplified Chinese character from GB2312 to Unicode.
4. The method of claim 1 further comprising: accessing a conversion table	4. The method of claim 1 further

to determine the Traditional Chinese character. 5. The method of claim 4 wherein the conversion table is a JAVA hashtable.	comprising: accessing a conversion table to determine the Traditional Chinese character. 5. The method of claim 4 wherein the conversion table is a JAVA hashtable.

The current application is directed to finding the corresponding Chinese character (Traditional and/or Simplified) to a given Chinese word (Traditional and/or Simplified). Copending application No. 10/617,526 is directed to finding the corresponding equivalent Chinese character (Traditional and/or Simplified), the corresponding Pin Yin word, and/or an English word to any given word (Chinese, Pin Yin, and/or English).

Chinese-English Dictionary teaches a method of finding the corresponding equivalent Chinese character (Traditional and/or Simplified), the corresponding Pin Yin word, and/or an English word to any given word (Chinese, Pin Yin, and/or English) without regard to an encoding format ("searches can be conducted by Chinese (using either the GB, Big5, or Unicode encodings), ...", page 1, lines 5-6).

Lookup discloses simultaneously displaying a Chinese character first and its translations next to the Chinese character in a graphical user interface without entering an encoding format of the Chinese character (Figure on top of page 1. Note the display of a Chinese character first and its translations next to the Chinese character).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to include Chinese-English Dictionary's various translations in order to help a non-native Chinese speaker learn the Chinese language by, for example, giving English translations to Chinese words.

It would have also been obvious to one with ordinary skill in the art at the time of the invention to simultaneously display Applicant's Chinese character (Simplified or Traditional) and its translations as disclosed in Lookup. It would also have been obvious to limit the graphical user interface (GUI) to an input field, a submit control, and an equivalency display area in order to provide a simple GUI void of unnecessary encumbrances.

Claims 16 – 20, and 24 – 27 are similar in scope and content to claims 1 – 5 and 9 – 12 and are rejected with the same rationale.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

7.   Claims 1 – 3, 9, 10, 16 – 18, 24 and 25 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 5 – 6, 26, 30 – 31 of copending Application No. 10/631,070 in view of Chinese-English Dictionary (http://web.archive.org/web/20000301054545/http://www.mandarintools.com/worddict.html) and in further view of Chinese-English Lookup

(http://web.archive.org/web/20010309104519/http://home.iprimus.com.au/richwarm/cel/

cel.htm) referred as Lookup hereinafter.

Current Application	Co-pending Application 10/631,070
1. A method comprising: using a computer having a display and connected to the internet, copying a Chinese character from a web page by highlighting the Chinese character on the web page; accessing a graphical user interface having only an input field, a submit control, and a Simplified Chinese/Traditional Chinese equivalency display area; pasting the Chinese character into an input field of a graphical user interface on the display; responsive only to pasting the Chinese character into the input field of the graphical user interface and clicking the submit control, automatically recognizing the Chinese character without entering an encoding format of the Chinese character so that when the Chinese character is a Simplified Chinese character, the Chinese character is displayed in the Simplified Chinese/Traditional Chinese equivalency display area and the Traditional Chinese character equivalent is simultaneously displayed in the Simplified Chinese/Traditional Chinese equivalency display area next to the Chinese character, and when the Chinese character is a Traditional Chinese character, the Chinese character is displayed in the Simplified Chinese/Traditional Chinese equivalency display area and the Simplified Chinese	1. A method comprising: using a computer having a display and connected to the internet, accepting a user input of a Simplified Chinese word at a graphical user interface on the display; … searching a dictionary for an entry containing a Simplified Chinese word; using Unicode to determine a Traditional Chinese word equivalent of a Simplified Chinese word; using Unicode to translate the Simplified Chinese word into accented Pin Yin word and an English word; and responsive to a user activation of a single control on the graphical user interface, simultaneously displaying the Simplified Chinese word, the Traditional Chinese word equivalent, the accented Pin Yin word, and the English word.

character equivalent is simultaneously displayed in the Simplified Chinese/Traditional Chinese equivalency display area next to the.	5. The method of claim 1 further comprising: accepting the Simplified Chinese word as user input, wherein the Simplified Chinese word is encoded in GB2312 or Unicode.
2. The method of claim 1 further comprising: accepting the Chinese character as user input, wherein the Chinese character is encoded in GB2312 or Unicode.	6. The method of claim 1 further comprising: translating the Simplified Chinese word from GB2312 to Unicode.
3. The method of claim 1 further comprising: translating the Chinese character from GB2312 to Unicode.	

The current application is directed to finding the corresponding Chinese character (Traditional and/or Simplified) to a given Chinese word (Traditional and/or Simplified). Copending application No. 10/631,070 is directed to finding the corresponding equivalent Chinese character (Traditional and/or Simplified), the corresponding Pin Yin word, and/or an English word to any given word (Chinese, Pin Yin, and/or English).

Chinese-English Dictionary teaches a method of finding the corresponding equivalent Chinese character (Traditional and/or Simplified), the corresponding Pin Yin word, and/or an English word to any given word (Chinese, Pin Yin, and/or English) without regard to an encoding format and where Chinese character is determined without the use of an intermediate language ("searches can be conducted by Chinese (using either the GB, Big5, or Unicode encodings), ... results will show the Chinese

word", page 1. Note that the Chinese word can be selected to be either Simp. Chinese (GB) or Trad. Chinese (Big5) as shown on top of page 1).

Lookup discloses simultaneously displaying a Chinese character first and its translations next to the Chinese character in a graphical user interface (Figure on top of page 1. Note the display of a Chinese character first and its translations next to the Chinese character).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to include Chinese-English Dictionary's various translations in order to help a non-native Chinese speaker learn the Chinese language by, for example, giving English translations to Chinese words.

It would have also been obvious to one with ordinary skill in the art at the time of the invention to simultaneously display Applicant's Chinese character (Simplified or Traditional) and its translations as disclosed in Lookup. It would also have been obvious to limit the graphical user interface (GUI) to an input field, a submit control, and an equivalency display area in order to provide a simple GUI void of unnecessary encumbrances.

It is also noted that it is well settled that the omission of an element/step and its function is an obvious expedient if the remaining elements perform the same function as before. *In re Karlson, 136 USPQ 184 (CCPA 1963).* Also note Ex parte Rainu, *168 USPQ 375 (Bd. App. 1969).* Omission of a reference element or step whose function is not needed would be obvious to one of ordinary skill in the art.

Claims 16 – 18, 24 and 25 are similar in scope and content to claims 1 – 3, 9, and 10 and are rejected with the same rationale.

This is a <u>provisional</u> obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 112

8.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

9.   Claims 1 – 5, 9 – 12, 16 – 20, and 24 – 27 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Independent claims 1 and 16 recite the limitations "recognizing the Chinese character without entering an encoding format of the Chinese character". The specification does not disclose this limitation. The closest teaching to this limitation is the fact that the Chinese character can be recognized regardless of the encoding format, i.e. whatever the encoding of the Chinese character the invention will recognize the character (page 10, lines 7-9). However, the specification is silent on entering or not entering an encoding format. Applicant is reminded that a mere absence of a positive recitation is not basis for exclusion. In other words, the lack of disclosure regarding

recognizing a Chinese character by entering an encoding format is not enough to teach

recognizing without entering an encoding format.

The other claims are rejected based on their dependence upon rejected claims.

Claim Rejections - 35 USC § 103

10.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

11.   Claims 1 – 4, 9 – 11, 16 – 19, and 24 – 26 are rejected under 35 U.S.C. 103(a)

as being unpatentable over Chinese-English Dictionary

(http://web.archive.org/web/20000301054545/http://www.mandarintools.com/worddict.ht

ml) in view of Chinese-English Lookup

(http://web.archive.org/web/20010309104519/http://home.iprimus.com.au/richwarm/cel/

cel.htm) referred as Lookup hereinafter.

Claim 1:

Chinese-English Dictionary discloses a method comprising:

using a computer having a display and connected to the internet (Figure on page

1, related text, and "download the dictionary at the CEDICT website", page 1);

accessing a graphical user interface having an input field, a submit control, and a

Simplified Chinese/Traditional Chinese equivalency display area ("Search" and "Look It

Up" in Figure on page 1 and "Results will show ...", page 1, lines 4-7).

But Chinese-English Dictionary does not explicitly discloses copying a Chinese character from a web page by highlighting the Chinese character on the web page, pasting the Chinese character into an input field of a graphical user interface, automatically recognizing the Chinese character without entering an encoding format of the Chinese character, and displaying as claimed in the instant claim.

Lookup discloses a similar Chinese-English dictionary where a user is able to select and copy a Chinese character (where it is pasted on the dictionary window) from a Web browsers or a word processor ("user has selected and copied a word ... ", page 1) in order to get a desired translation by automatically recognizing the Chinese character without entering an encoding format of the Chinese character (see "Does CEL work with both Big5 and GB text?", page 2. Note that the workaround does not require entering an encoding format, see the CEL Documentation Notes, page3) and simultaneously displaying the Chinese character and the translated characters next to the Chinese character in a graphical user interface in response to only pasting the Chinese character into a window and clicking a control (Figure on top of page 1. Note the display of a Chinese character and its translations next to the Chinese character. See also "What's new in Version 2.0?" on page 1 where it is disclosed that the user can manually, i.e. by clicking a control, paste the Chinese character and trigger the lookup dictionary).

It would have been obvious to one with ordinary skill in the art at the time of the invention to copy and paste words from Web pages in Chinese-English Dictionary's interface, automatically recognizing the Chinese character without entering an encoding

format of the Chinese character, and simultaneously displaying the Chinese character

and the translated characters next to the Chinese character in Chinese-English

Dictionary's interface in response to only pasting the Chinese character into an input

field and clicking a submit control in order to "help Chinese language learners to read

Chinese electronic texts in other applications such as Web browsers and word

processors" (Lookup, page 1, paragraph 2).

Chinese-English Dictionary and Lookup do not explicitly disclose a graphical user

interface (GUI) having only an input field, a submit control, and an equivalency display

area. However, it would have been obvious to one with ordinary skill in the art at the

time of the invention to have excluded unnecessary fields from the Chinese-English

Dictionary's GUI in order to present a simple interface void of unused fields. For

instance, the "as" field in Chinese-English Dictionary where a user selects the encoding

type of the entered Chinese character will be unnecessary in the combination of

Chinese-English Dictionary with Lookup, because the combination, using Lookup's

method, is able to automatically discern the entered Chinese character's encoding. The

"Output as" field will also be unnecessary because the combination of Chinese-English

Dictionary with Lookup is able to display the Chinese character and all its translations

so the user is not required to select which particular translations should be displayed.

The "Look for" field which is used to select the position of the entered Chinese character

is not a mandatory field for translation in Chinese-English Dictionary, it is simply a way

to limit searches. This field could be omitted without affecting Chinese-English

Dictionary's basic translation capabilities. It is again noted that it is well settled that the

omission of an element/step and its function is an obvious expedient if the remaining

elements perform the same function as before. *In re Karlson, 136 USPQ 184 (CCPA*

1963). Also note Ex parte Rainu, *168 USPQ 375 (Bd. App. 1969)*. Omission of a

reference element or step whose function is not needed would be obvious to one of

ordinary skill in the art.

Claim 2:

Chinese-English Dictionary and Lookup disclose the method of claim 1, Chinese-

English Dictionary further discloses: accepting the Chinese character as user input,

wherein the Chinese character is encoded in GB2312 or Unicode ("return the results in

GB … or Unicode", page 1).

Claim 3:

Chinese-English Dictionary and Lookup disclose the method of claim 1, Chinese-

English Dictionary further discloses: translating the Chinese character from GB2312 to

Unicode ("return the results in GB … or Unicode", page 1).

Claim 4:

Chinese-English Dictionary and Lookup disclose the method of claim 1, Chinese-

English Dictionary further discloses: accessing a conversion table to determine the

Traditional Chinese character ("searches can be conducted by Chinese (using either the

GB, Big5, or Unicode encodings), … results will show the Chinese word", page 1. Note

that a conversion table is inherent in the determination of equivalent characters).

Claim 9:

Chinese-English Dictionary and Lookup disclose the method of claim 1, Chinese-English Dictionary further discloses: accepting the Chinese character as user input, wherein the Chinese character is encoded in Big5 ("return the results in GB, Big5 … Unicode", page 1).

Claim 10:

Chinese-English Dictionary and Lookup disclose the method of claim 1, Chinese-English Dictionary further discloses: translating the Chinese character from Big5 to Unicode ("return the results in GB, Big5 … Unicode", page 1).

Claim 11:

Chinese-English Dictionary and Lookup disclose the method of claim 1, Chinese-English Dictionary further discloses: accessing a conversion table to determine the Simplified Chinese character ("searches can be conducted by Chinese (using either the GB, Big5, or Unicode encodings), … results will show the Chinese word", page 1. Note that a conversion table is inherent in the determination of equivalent characters).

Claims 16 – 19 and 24 – 26:

Claims 16 – 19 and 24 – 26 are directed to a program product encoding program code for performing the method of claims 1 – 4 and 9 – 11. It is old and well-known to encode program code for performing a method on a computer storage medium and implement instructions corresponding to the program code on a computer's processor. Accordingly, claims 16 – 19 and 24 – 26 are rejected with the same rationale as applied above with respect to method claims 1 – 4 and 9 – 11.

12.   Claims 5, 12, 20, and 27 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Chinese-English Dictionary

(http://web.archive.org/web/20000301054545/http://www.mandarintools.com/worddict.ht

ml) in view of Chinese-English Lookup

(http://web.archive.org/web/20010309104519/http://home.iprimus.com.au/richwarm/cel/

cel.htm) referred as Lookup hereinafter and in further view of Hughes ("1ICT3 Computer

Science Sample Paper I", 1998, University of Dublin).

    Claim 5:

    Chinese-English Dictionary and Lookup disclose the method of claim 4, but they

do not explicitly disclose using a Java hashtable.

    Hughes discloses a conversion table for Morse code stored in a Java hashtable

("The conversion table for Morse code can be stored in a Java Hashtable object", page

4, question 6).

    Therefore it would have been obvious to one with ordinary skill in the art at the

time of the invention to use a Java hashtable as the conversion table in Chinese-English

Dictionary because Java is able to run on any platform.

    Claim 12:

    Claim 12 is similar in scope and content to claim 5; therefore it is rejected with

the same rationale.

    Claims 20 and 27:

    Claims 20 and 27 are directed to a program product encoding program code for

performing the method of claims 5 and 12. It is old and well-known to encode program

code for performing a method on a computer storage medium and implement

instructions corresponding to the program code on a computer's processor.

Accordingly, claims 20 and 27 are rejected with the same rationale as applied above

with respect to method claims 5 and 12.

Conclusion

13.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to SAMUEL G. NEWAY whose telephone number is

(571)270-1058. The examiner can normally be reached on Monday - Friday 8:30AM -

5:30PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David R Hudspeth can be reached on 571-272-7843. The fax phone

number for the organization where this application or proceeding is assigned is 571-
273-8300.

Information regarding the status of an application may be obtained from the

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